

REMARKS

I. Introduction

Claim 14 has been canceled and therefore claims 12-13 and 15-23 are now pending in the present application. Claims 12 and 15 have been amended. Applicants hereby respectfully request further examination and reconsideration of the application.

Applicants note with appreciation the acknowledgment of the claim for foreign priority, and the indication that all certified copies of the priority documents have been received. Applicants thank the Examiner for considering the previously filed Information Disclosure Statement, PTO 1449 paper and cited references.

II. Rejection of Claims 12-23 under 35 U.S.C. §102(b)

Claims 12-23 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,918,521 ("Yabe"). Claim 14 has been canceled. Applicants respectfully submit that the rejection should be withdrawn for at least the following reasons.

In order to reject a claim under 35 U.S.C. §102(b), the Office must demonstrate that each and every claim feature is identically described or contained in a single prior art reference. (See Scripps Clinic & Research Foundation v. Genentech, Inc., 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991)). Still further, not only must each of the claim features be identically described, an anticipatory reference must also enable a person having ordinary skill in the art to practice the claimed subject matter. (See Akzo, N.V. v. U.S.I.T.C., 1 U.S.P.Q.2d 1241, 1245 (Fed. Cir. 1986)). To the extent that the Examiner may be relying on the doctrine of inherent disclosure, the Examiner must provide a "basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristics necessarily flow from the teachings of the applied art." (See M.P.E.P. § 2112; emphasis in original; see also Ex parte Levy, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Int'f. 1990)). Thus, the M.P.E.P. and the case law make clear that simply because a certain result or characteristic may occur in the prior art does not establish the inherence of that result or characteristic.

Applicants note that claim 12 has been amended to include the features of claim 14

(claim 14 is now canceled). Amended claim 12 recites, in relevant parts, “*at least one image converting element, at least one additional element, and at least one interlock for connecting the image converting element to the at least one additional element, wherein at least one of the image converting element and the additional element includes at least one connecting element having an undercut, the connecting element being a component of the interlock.*”

In contrast, Yabe does not disclose or suggest that “*at least one of the image converting element and the additional element includes at least one connecting element having an undercut, the connecting element being a component of the interlock.*” The “*at least one connecting element having an undercut*” as claimed by Applicants (and as described in the specification, e.g., at page 4, line 20 - page 5, line 2, and as illustrated in Figure 1 by elements 4, 5, 16 and 17) is in stark contrast to anything referred to by Yabe.

Even if one assumed for the sake of arguments that the sealing material 121 referred to by Yabe may somehow be considered a connecting element (with which assumption Applicants disagree), the sealing material 121 does not have an undercut. In addition, even if one assumed for the sake of arguments that the bump 52 referred to by Yabe may somehow be considered a connecting element (with which assumption Applicants disagree), the bump 52 does not have an undercut. In summary, there are no elements referred to by Yabe that could possibly be considered a *connecting element having an undercut* as claimed by Applicants. Accordingly, Yabe does not anticipate claim 12 and its dependent claims 13 and 15-23.

For at least the foregoing reasons, claims 12-13 and 15-23 are allowable over Yabe.

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Conclusion

In view of the foregoing, it is respectfully submitted that pending claims 12-13 and 15-23 are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is respectfully requested.

Respectfully submitted,

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